

Introduced by Senator BattinFebruary 13, 2007

An act to amend Section 379 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 224, as introduced, Battin. State Highway Route 79: relinquishment.

Existing law provides that the Department of Transportation has full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish certain state highway segments to local agencies.

This bill would authorize the commission to relinquish any portions of State Highway Route 79 in the City of Hemet to that city under certain conditions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 379 of the Streets and Highways Code
- 2 is amended to read:
- 3 379. (a) Route 79 is from:
- 4 (1) Route 8 near Descanso to Route 78 near Julian.
- 5 (2) Route 78 near Santa Ysabel to the Temecula city limits east
- 6 of Butterfield Stage Road.

1 (3) Temecula city limits south of Murrieta Hot Springs Road
2 to Route 74 near Hemet.

3 (4) Route 74 near Hemet to Route 10 near Beaumont.

4 (b) (1) Notwithstanding subdivision (a), the commission may
5 relinquish to the City of Temecula the portion of Route 79 located
6 within Temecula's city limits, upon terms and conditions the
7 commission finds to be in the best interest of the state.

8 (2) Any relinquishment agreement shall require that the City of
9 Temecula administer the operation and maintenance of the
10 highways in a manner consistent with professional traffic
11 engineering standards.

12 (3) Any relinquishment agreement shall require the City of
13 Temecula to ensure that appropriate traffic studies or analysis will
14 be performed to substantiate any decisions affecting the highways.

15 (4) Any relinquishment agreement shall also require the City
16 of Temecula to provide for public notice and the consideration of
17 public input on the proximate effects of any proposed decision on
18 traffic flow, residences, or businesses, other than a decision on
19 routine maintenance.

20 (5) Notwithstanding any of its other terms, any relinquishment
21 agreement shall require the City of Temecula to indemnify and
22 hold the department harmless from any liability for any claims
23 made or damages suffered by any person, including a public entity,
24 as a result of any decision made or damages suffered by any person,
25 including a public entity, as a result of any decision made or action
26 taken by the City of Temecula, its officers, employees, contractors,
27 or agent, with respect to the design, maintenance, construction, or
28 operation of that portion of Route 79 that is to be relinquished to
29 the city.

30 (6) Any relinquishment shall become effective immediately
31 after the county recorder records the relinquishment resolution
32 that contains the commission's approval of the terms and conditions
33 of the relinquishment.

34 (7) On and after the effective date of the relinquishment, both
35 of the following shall occur:

36 (A) The portion of Route 79 relinquished shall cease to be a
37 state highway.

38 (B) The portion of Route 79 relinquished may not be considered
39 for future adoption under Section 81.

1 (8) The City of Temecula shall ensure the continuity of traffic
2 flow on the relinquished portion of Route 79, including any traffic
3 signal progression.

4 (9) For relinquished portions of Route 79, the City of Temecula
5 shall maintain signs directing motorists to the continuation of
6 Route 79.

7 (c) (1) Notwithstanding subdivision (a), the commission may
8 relinquish to the City of San Jacinto any portion of Route 79 that
9 is located within the city limits of that city, upon terms and
10 conditions the commission finds to be in the best interests of the
11 state, if the department and the city enter into an agreement
12 providing for that relinquishment.

13 (2) A relinquishment under this subdivision shall become
14 effective immediately following the county recorder's recordation
15 of the relinquishment resolution containing the commission's
16 approval of the terms and conditions of the relinquishment.

17 (3) On and after the effective date of the relinquishment, the
18 relinquished portion of Route 79 shall cease to be a state highway.

19 (4) The portion of Route 79 relinquished under this subdivision
20 shall be ineligible for future adoption under Section 81.

21 (5) For the portion of Route 79 that is relinquished under this
22 subdivision, the City of San Jacinto shall maintain within its
23 jurisdiction signs directing motorists to the continuation of Route
24 79.

25 (d) (1) *Notwithstanding subdivision (a), the commission may*
26 *relinquish to the City of Hemet any portion of Route 79 that is*
27 *located within the city limits of that city, upon terms and conditions*
28 *the commission finds to be in the best interests of the state, if the*
29 *department and the city enter into an agreement providing for that*
30 *relinquishment.*

31 (2) *A relinquishment under this subdivision shall become*
32 *effective immediately following the county recorder's recordation*
33 *of the relinquishment resolution containing the commission's*
34 *approval of the terms and conditions of the relinquishment.*

35 (3) *On and after the effective date of the relinquishment, the*
36 *relinquished portion of Route 79 shall cease to be a state highway.*

37 (4) *The portion of Route 79 relinquished under this subdivision*
38 *shall be ineligible for future adoption under Section 81.*

- 1 (5) *For the portion of Route 79 that is relinquished under this*
- 2 *subdivision, the City of Hemet shall maintain within its jurisdiction*
- 3 *signs directing motorists to the continuation of Route 79.*